

resemblance to the Hartigan Publication, and is so thin in terms of its disclosure, that the Applicant submits that the Priority Document fails to meet the requirements of 35 U.S.C. 112.

Additionally, the Applicant submits that the Priority Document entirely lacks the disclosures of the Hartigan Publication that have been relied upon by the Examiner in rejecting the independent claims 1, 14, 15 and 18, and lacks disclosure of several features recited in those independent claims. In particular, each of the independent claims recites a step or device involving the providing of an input field by which a user can enter a request for insurance involving a particular time period and/or a particular geographical region. The Applicants respectfully submit that the Priority Document entirely lacks disclosure concerning such a feature.

Additionally, with respect to at least each of independent claims 1, 14 and 18, each of these claims recites a step or device that involves the providing of a confirmation to a user as to whether the user's particular insurance request can be satisfied. The Applicants again submit that the Priority Document entirely lacks disclosure concerning the sending of any confirmation to a user regarding whether a requested type of insurance can be provided. Indeed, the Applicants are unable to find any disclosure within the Priority Document that would correspond to or support the portions of the figures (e.g., FIGS. 30-31) and paragraphs (e.g., paragraphs 12-14) that are relied upon in paragraph 3 of the Office action as showing the aforementioned features of claims 1, 14, 15 and 18.

For at least these reasons, therefore, the Applicant respectfully submits that the Priority Document fails to provide disclosure of all of the features recited in the independent claims 1, 14, 15 and 18, and that consequently independent claims 1, 14, 15 and 18 as well as the claims depending therefrom are allowable over the Hartigan Publication.

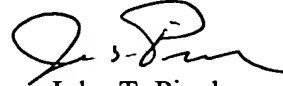
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In view of the above Remarks, the Applicant respectfully requests reconsideration and allowance of the present Application.

Appl. No. 09/694,402
Amdt. Dated 9/27/04
Reply to Office Action of April 26, 2004

The Applicant invites the Examiner to telephone the Applicant at the telephone number listed below if discussion with the Applicant would further the prosecution of the present Application, or otherwise be of assistance to the Examiner.

Respectfully,

A handwritten signature in black ink, appearing to read 'J. T. Pienkos', written in a cursive style.

John T. Pienkos
Applicant

Dated: 9/27/04
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dependent claim 12 was rejected under 35 U.S.C. 103(a) as being unpatentable over the Hartigan Publication additionally in view of U.S. Patent No. 5,990,886 to Serdy.

The Applicant further appreciates the Examiner's prompt cooperation in sending to the Applicant on July 15, 2004 a copy of U.S. provisional patent application no. 60/205,477 filed on May 19, 2000, which is the priority document of which the Hartigan Publication claims the benefit (hereinafter referred to as "the Priority Document"). The Applicant has included herewith a copy of that provisional application for the Examiner's benefit (in case the Examiner did not retain a copy for his file).

Based upon the Applicant's consideration of the Hartigan Publication and the Priority Document, the Applicant respectfully traverses the rejections of all of the claims. In particular, the Applicant traverses the rejections of each of the independent claims 1, 14, 15 and 18 under 35 U.S.C. 102(b) in view of the Hartigan Publication, for at least the following reasons.

The Priority Document Fails to Provide Adequate Disclosure

As discussed in the M.P.E.P. at, for example, Section 201.11, a later, second patent application is only entitled to the benefit of the filing date of an earlier, first patent application if the second application is "an application for a patent for an invention which is also disclosed in the first application (the parent or original nonprovisional application or provisional application)[, and] the disclosure of the invention in the first application and in the second application [are] sufficient to comply with the requirements of the first paragraph 35 U.S.C. 112." The Applicant respectfully submits that the Priority Document fails to meet these requirements, and therefore fails to provide a basis for rejecting claims 1, 14, 15 and 18 under 35 U.S.C. 102(b) in view of the Hartigan Publication.

As the Examiner will note, the Priority Document is merely a short (one-page) description of some concepts that were presumably developed by the inventor Mr. Hartigan. While some of the concepts disclosed in the Priority Document resemble some of the concepts set forth in the Hartigan Publication, the Hartigan Publication with its 78 pages of drawings is obviously a substantially different, and much more thorough, document than the Priority Document. Indeed, the Priority Document bears such little

[Click here and type address]

Facsimile Transmittal

To: John Pienkos

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From: Vivek Koppikar

Date: 7/15/04

Re: Provisional Application

Pages: 3 (including this cover page)

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60/205477

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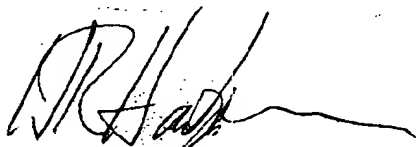
Enclosed please find my provisional application for a business process patent for "Ins-Cert.com" a computer application for issuance, evaluation and tracking certificates of insurance over the Internet.

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At this time I am not represented by an attorney, and no U.S. Government agency has an interest in this product, (other than as a potential user of the system).

Although development of this product / service began in June, 1999, it was not made known to the public until November 18, 1999, and was not made available for use over the Internet until December 24, 1999.

Respectfully submitted,



William R. Hartigan

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Abstract

Ins-Cert.com is an Internet information service, which allows commercial casualty/property insurance Agents or Brokers, ("Agents"), to enter their clients', ("Insureds"), insurance coverage information, which they would otherwise print on paper certificates and send to the Insureds' clients' customers, called "Certificate-Holders," ("Holders"). Ins-Cert.com provides immediate access to the data over the Internet, and saves Agents from directing certificates to specific Holders. Insureds are given a permanent Access Code-Password combination to give to each Holder who requests a certificate. Each Holder may enter its own insurance requirements, which Ins-Cert.com compares to the viewed data and shows the Holder exactly which part(s) of the Insured's coverage does not comply. Ins-Cert.com provides this data in several useful formats: (1) A Coverage Compliance Comparison tells a Holder which parts of one Insured's certificate do not comply with the requirements. (2) A Compliance Report displays a table of all Insureds, showing each coverage for each Insured as "OK" "LOW" "EXP" or "CNX" denoting acceptable, unacceptable, expired or cancelled coverage. (3) An Expiration Report is another table displaying for the Certificate Holder the expiration date of each coverage for each Insured. (4) The Agent Control Page is a listing for the Agent or Broker of all Insured records entered, displaying expiration dates, for each coverage. It also serves as the navigation launch point for data entry, edits, and other Agent/Broker functions. The system also offers the Insurance Company, ("Insurer"), the ability to view certificates posted by their Agents, and the ability to block Agents from issuing certificates in their name. Ins-Cert.com automatically generates e-mail notices to each Holder who has viewed a certificate, whenever the Agent posts a cancellation date for any coverage, whenever an Agent removes a cancellation date, or when a policy expires without having an Agent post a renewal policy. The system offers the Holder the ability to enter variable information in fields called "Branch" and "Job/Location" in order to limit the contents of each report, for those Holders who have hundreds or thousands of Insureds to track. Each coverage item on the certificate and on the Set Requirements page, (where the Holder enters its minimum requirements), is a link to a simplified explanation of that coverage, and each name of an Insurer, Agency or Agent is a link to more information about each, including links to Insurer rating services.

Key Functions for which Protection is sought

1. Insurance Certificate pulling data from database and displaying coverages to Holders over Internet
2. Recording of Holder minimum requirements for comparison to each certificate data
3. Automatic comparison of each certificate data set to Holder requirements, with Coverage Compliance Comparison report of each non-complying coverage
4. Automatic e-mail notification to all Holders of cancellation, expiration and reinstatement
5. Automatic comparison of all certificate data to Holder requirements and display of coded results on "Compliance Report."
6. Presentation of policy expiration dates for all certified policies in date-ordered table format
7. Explanations and definitions of all coverages available by clicking on each insurance term
8. Information about Insurers, Agencies and individual Agents displayed when clicking on the names, and information displays include links to rating services which display additional data
9. Subordinate designation of "Branch" and "Job/Location" by which Holders categorize and restrict which records appear on the reports cited above.
10. Customizable reminder e-mail notices to Agents prior to expiration of policies, and ability for agents to see reports of all Holders who have viewed certificates.
11. E-mail invoices/activity reports to all agents generated automatically
12. Insurer function to review certificates and to block Agents from issuing certificates in their name.